

To: Alta California Regional Center (ACRC), Department of Developmental Services (DDS)
 cc: Self Determination Program (SDP) Ombudsperson, DDS SDP Advisory Committee
 From: ACRC Self Determination Advisory Committee (SDAC) Report and Recommendations¹ – First Half 2022
 Date: 6/30/2022

The Alta California Regional Center SDAC provided its first report and recommendations to you in January 2022. The ACRC SDAC is following up with new observations on the implementation of the SDP in the past six months since our last report, and recommendations for continued improvement.

1) Status Report: Growth and Diversity of ACRC SDP Participants:

Date	SDP Participants Statewide*	ACRC Participants	ACRC % of State
Jul-21	734	12	1.6%
Aug-21	791	16	2.0%
Sep-21	851	20	2.4%
Oct-21	922	25	2.7%
Nov-21	1001	29	2.9%
Dec-21	1102	41	3.7%
Jan-22	1174	52	4.4%
Feb-22	1242	71	5.7%
Mar-22	1267	79	6.2%
Apr-22	1378	89	6.5%
May-22	1462	95	6.5%
June-22		121	

Note:

DDS periodically publishes data on statewide SDP participants at DS Taskforce meetings; the most recent data is from March 2022.

ACRC's SDP effort continued to build on the progress made in 2021. ACRC provides monthly data at each SDAC meeting in the SDAC agenda; statewide data is reported less frequently in DS Taskforce meetings.

- a) In July 2021, at the start of statewide SDP implementation, Alta fully enrolled SDP participants comprised 1.6% of the statewide figure. As of March 2022, Alta's fully enrolled participants had grown to 79, comprising 6.2% of the state total. By June 2022, a total of 121 Alta Regional participants had enrolled in Self Determination, 10 times the figure from a year prior.

¹ Per section 4685(v)(1), the SDAC...shall review the development and ongoing progress of the Self-Determination Program, including whether the program advances the principles of self-determination and is operating consistent with the requirements of this section, and may make ongoing recommendations for improvement to the regional center and the department."

b) The racial/ethnic profile of ACRC Participants is diverse, as is the overall ACRC Population.

Total number of clients who have flipped the switch as of 5/10/22:

Ethnicity	# of Clients	%
White	48	50.53%
Minority	47	49.47%
	95	100%
Minority Breakdown:		
African American	8	8.42%
Multicultural Cultural	13	13.68%
Latin	9	9.47%
Pacific Islander	2	2.11%
Other Asian	1	1.05%
Chinese	3	3.16%
Vietnamese	1	1.05%
Korean	4	4.21%
Other	6	6.32%
	47	49.47%

c) Recommendations:

- i) Continue to track the growth in ACRC SDP Participants relative to the state as a whole as well as diversity metrics.

2) SDAC SDP Grant Activity:

- a) The SDAC formed a Grant subcommittee which provides information and recommendations on grant opportunities to the SDAC.
- b) The Grant Committee has evaluated uses for grant funds and recommended
 - i) \$3K of funding for translation services
 - ii) \$21K for a SDP boot camp training

3) Training Vended Providers on the Self Determination Program:

- a) In 2021, the SDAC and ACRC had formed an SDAC Provider subcommittee comprised of providers, ACRC staff and SDAC members. The initial goal of the SDAC Provider subcommittee was to create a training for traditional vended providers on how they could participate in Self Determination. The training highlighted core business model differences between traditional services and non-vended SDP services. This effort was completed with a series of webinars starting in November 2021, one of which was recorded and can be accessed at www.youtube.com/watch?v=GMrWEn5iDxg&t=94s. These were followed in early 2022 by “lunch and learn” SDP meetings for ACRC’s Provider Advisory Committee focusing on Independent Facilitators (IFs) and Financial Management Services (FMSs).
 - i) This SDAC Provider subcommittee, having completed its work, has formally disbanded, but as requests for updates come in, the SDAC remains available to respond.
 - ii) For example, the ACRC Provider Advisory Committee requested an update on SDP at their June meeting.

4) ACRC Expansion of Internal Staff Training

- a) In response to input received at SDAC meetings on the need for more SC training on the SDP, ACRC launched “SDP lunch and learn” online meetings in 2021, and has continued these to expand Service Coordinator knowledge of Self Determination.
- b) This was enhanced by weekly SDP Q&A sessions on Thursdays for RC staff
- c) Alta has also established a consultation committee for its staff to consider and resolve more complex SDP issues
- d) Recommendations:
 - i) For ACRC:
 - (1) Consider highlighting the more complex issues that required resolution at the consultation committee at SDAC meetings and
 - (2) Adding these issues and their resolution to a FAQ on the ACRC SDP website

5) FMS Challenges

In our last report, the SDAC advised that some service providers were encountering unexpected challenges with certain FMSs.

- a) In particular, some traditional vendored service providers that were attempting to launch Self Determination service codes reported that certain FMS vendors requires providers to submit payroll information earlier and receive reimbursement later and less frequently than is the case in traditional services with direct regional center reimbursement. Multiple providers that are accustomed to working as vendored providers have reported this challenge.
 - i) Such challenges can create a serious cash flow crunch for service providers, and cause them to avoid the SDP altogether.
 - ii) In our SDAC meeting, Joe Hernandez, Special Projects Manager for Self Determination at the SCDD, has suggested that he may be a resource to assist Participants and Independent Facilitators on what payment schedules and reimbursement timeframes are expected of FMSs.
 - iii) In our prior report, we had suggested that FMSs disclose their business terms, so that Participants can assess at the time of FMS selection whether their earmarked providers are able to work with a chosen FMS.
 - (1) In response, ACRC Client Services Director Mechelle Johnson now meets with ACRC FMSs quarterly and has recommended that each be prepared to disclose their provider business terms and any Participant service initiation terms prior to Participant selection. (a) It is important that FMS business terms be accessible to Participants prior to FMS selection so that they don't select an FMS that will not work for their chosen providers.
 - (2) Across California, SDP FMSs are vendored by one regional center and everywhere else where that FMS also operates, courtesy vendorization is utilized. All of ACRC's FMSs are courtesy vendored.
 - (a) As a practical reality, ACRC has limited management authority over its courtesy vendored FMSs.
- b) Additionally, ACRC and families reported that some FMSs have left California.
 - i) There were concerns that reimbursement rates are an issue. One advocate stated that FMSs that support Participant Directed Services are paid a percentage of service provider revenue and these FMSs are accustomed to higher reimbursement.

c) Recommendations:

i) For DDS and the SDP Ombudsperson:

- (1) Consider whether FMS transparency issues may best be addressed by DDS Directives or regulations.
- (2) Schedule a training on FMSs standards for IFs and Participants

6) Independent Facilitator/Person Centered Planner reports from the community:

- a) The SDAC has received multiple reports that some Person Centered Planners who advise clients that they are Independent Facilitators do not provide the full set of IF services listed by DDS in its Directive. Consequently some Participants spend all of their \$2500 in initial funding on what turns out to be mostly person centered planning services, and get stuck without the assistance they need to proceed through the rest of the initial SDP process.
- b) Key vulnerabilities are assistance with budgets and the spending plan, and assistance in identifying service providers and negotiating rates.
- c) Recommendation for DDS and Ombudsperson:
 - i) Create a service agreement template specifically for person centered planners to ensure that any essential IF services needed to get to a spending plan authorization are included.
 - (1) This could be a checkbox type template with space to allow for customized services.

7) Camp and Social Rec under the SDP

- a) In response to questions from participants on how to implement social recreation in the SDP, ACRC's Mechelle Johnson provided a presentation to the SDAC on March 9.
 - i) There were many questions from Participants and IFs on HCBS setting assessments for camps, which were ably answered by Cindy Le in a follow up SDAC session.
 - ii) There were also questions about the means-based requirement for individuals to pay for social rec if they could afford it, as expressed in the ACRC Social Rec POS policy.
 - (1) ACRC provided clarification that this applied to minors whose parents would typically be funding camp for a child that was not disabled.
 - iii) Since social rec has only just become available, most new SDP Participants will not have historical social rec expenditures. This has also generated numerous questions about how social rec needs should be calculated in SDP budgets.
- b) Recommendations:
 - i) For ACRC: It would be helpful to lay out the HCBS setting assessment guidance for camps in writing on the ACRC website (with a link accessible on the SDP page) so Participants can more easily determine which providers can qualify to serve them.
 - (1) This will be less of an issue starting in April 2023 when compliance with the settings rule will expand to all traditional services, and therefore all camps serving RC clients will have to comply with the HCBS settings rule.
 - ii) For DDS and the SDP Ombudsperson:
 - (1) A Directive on social rec specifically for SDP Participants would be very helpful, particularly guidance on how participant budgets may be modified when a service historically unavailable in traditional services is newly authorized and funded by the legislature.

8) Vendorization of Person Centered Planners is required under 024 reimbursement

a) Section 4685.8(t) states:

- i) "(t) Only the financial management services provider is required to apply for vendorization in accordance with Subchapter 2 (commencing with Section 54300) of Chapter 3 of Division 2 of Title 17 of the California Code of Regulations for the Self-Determination Program. All other service and support providers shall not be on the federal debarment list and shall have applicable state licenses, certifications, or other state required

documentation, including documentation of any other qualifications required by the department, but are exempt from the vendorization requirements set forth in Title 17 of the California Code of Regulations when serving participants in the Self-Determination Program.”

- ii) Some confusion arose since person centered planning funding for Self Determination Participants is reimbursed under service code 024, which does require vendorization.
 - iii) ACRC’s Jean Onesi presented to the SDAC to provide the following guidance:
 - (1) Person Centered Planners/IFs who are not vendorized for person centered planning services but wish to use 024 service code to be reimbursed for their services must be vendorized for 024.
 - (2) This 024 vendorization should take 30-45 days and once completed, the vendor number can be utilized for multiple Alta clients
- 9) Lastly, the SDAC has received questions from the public on the following SDP issues where guidance is pending:
- a) How should rate study-based increases, which were signed into law and are scheduled to begin phase-in during April 2022, be addressed in a Participant's 12 month certified budget?
 - ~~b) How should SDP Participants implement Direct Support Professional (DSP) compliance with new EVV requirements beginning January 2022? Will DDS provide EVV training for SDP employers, and their staff?~~
 - c) What, if any, significant incident reports should be or could be included as a requirement in a SDP contract between a participant and a service provider?
 - d) What is the outlook for the temporary \$2500 in initial funding for person centered planning and Independent Facilitation services?
 - e) Can a PCP/IF contract be split into 2 pieces for reimbursement purposes, or must all the reimbursement be due upon completion of the PCP?
 - i) Similarly, when a family has already independently created a PCP, can they use the \$2500 initial funding solely to hire an IF to help them through the initial implementation?
 - f) Vendorized Providers are experiencing staff attrition when a client transitions to SDP and hires a trained employee without hiring the provider. This is a concern that providers don’t know how to address and they are looking for guidance.
 - i) Should providers consider getting vendorized as an FMS also?
 - ii) How can providers be competitive under the Bill Payer model?

In summary, the SDAC wishes to express appreciation and gratitude for the collaborative effort with Alta and vendorized providers and the ongoing gains achieved Alta Regional’s SDP implementation. A separate and more complete listing of ACRC’s H1 2022 Actions and Activities is appended at the end of this report.